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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,834	02/14/2001	Jonathan Lohr	8194-478	1615

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

14

Office Action Summary

Application No.

09/782,834

Applicant(s)

LOHR ET AL.

Examiner

Douglas B. Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 35-54, 71 and 73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 35-54, 71 and 73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/14/01 and 1/9/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 20-34, 55-70, 72, and 74 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/8/2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-3, 10-19, 35-37, 44-54, 71 and 73 are rejected under 35 U.S.C. 102(a) as being anticipated by Wireless Application Protocol: Wireless Telephony Application Specification dated July 7, 2000 (Part of IDS filed 2/14/2001).

4. As to claim 35, the WTA specification teaches a system for requesting Wireless Telephony Application (WTA) protocol based actions, comprising: a server that receives a request for execution of the WTA protocol based action by a target mobile terminal having a WTA agent, the request including an identification code that identifies a destination device for the WTA protocol based actions (Section 5.1.2 WTA Server), an association application that associates a Uniform Resource Locator (URL) with the identification code that identifies the destination device (Section 5.1.2 WTA Server, the URL can be for interacting with external entities); a push application executing on the server that generates a push command including the

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associated URL and transmits the push command to the target mobile terminal to initiate the requested WTA protocol based action by the WTA agent of the target mobile terminal (Section 5.2.1 Initiation of WTA Services).

5. As to claim 36, the WTA specification teaches the system according to Claim 35, wherein the server comprises one of an applications server and a WTA server (Section 5.1.2 WTA Server).

6. As to claim 37, the WTA specification teaches the system according to Claim 35, wherein the WTA protocol based action comprises initiation of a call from the target mobile terminal to the destination device (Section 7 State Model).

7. As to claim 44, the WTA specification teaches the system according to Claim 35, wherein the association application associates a URL with a script stored by the server, the script initiating execution of the WTA protocol based action (Section 5.1.2).

8. As to claim 45, the WTA specification teaches the system according to Claim 44, wherein the WTA protocol based action comprises initiation of a call from the target mobile terminal to the destination device and wherein the target mobile terminal receives the script and executes a make call command in the WTA user agent of the target mobile terminal responsive to receipt of the script (Section 5.1.2).

9. As to claim 46, the WTA specification teaches the system according to Claim 45, wherein the make call command is associated with the Wireless Telephony Application Interface (WTAI) public library (Section 5.1.2).

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10. As to claim 47, the WTA specification teaches the system according to Claim 35, wherein the association application that associates the URL with the identification code that identifies the destination device executes on an applications server (Section 5.1.2).

11. As to claim 48, the WTA specification teaches the system according to Claim 47, wherein the push application that generates the push command executes on the applications server (Section 5.1.2).

12. As to claim 49, the WTA specification teaches the system according to Claim 48, wherein the push command comprises a pointer to a Push Proxy Gateway (PPG) of the target mobile terminal; an identifier of a contact number of the target mobile terminal; a pointer to the WTA user agent of the target mobile terminal; and the URL (Section 5.1.2).

13. As to claim 50, the WTA specification teaches the system according to Claim 49, wherein the association application associates the URL with a script, stored at the server, the script initiating execution of the WTA protocol based actions (Section 5.1.2).

14. As to claim 51, the WTA specification teaches the system according to Claim 35, wherein the push application transmits the push command to a Push Proxy Gateway (PPG) of the target mobile terminal and wherein the following are performed by the PPG (Section 5.1.2): means for initiating an authentication between the server and the target mobile terminal; means for determining if a Wireless Application Protocol IWAPI session has been initiated (Section 5.1.2); means for initiating the WAP session if the WAP session has not been initiated (Section 5.1.2); and means for transmitting a Service Load (SL) push command to the WTA user agent of the target mobile terminal using the WAP session wherein the SL push command includes the URI (Section 5.1.2).

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15. As to claim 52, the WTA specification teaches the system according to Claim 51, wherein the WTA agent receives a script and executes a make call command associated with the WTAI public library maintained by the WTA agent responsive to the URL (Section 5.1.2); and wherein the WTA agent of the target mobile terminal is configured to initiate the WTA protocol based action responsive to the SL push (Section 5.1.2).

16. As to claim 53, the WTA specification teaches the system according to claim 52, wherein the WTA protocol based action comprises initiation of a call from the target mobile terminal to the destination device (Section 5.1.2).

17. As to claim 54, the WTA specification teaches the system according to Claim 53, wherein the means for initiating the WAP session comprises means for sending a Session Initiation Application (SIA) to the WTA agent and wherein the WTA agent is configured to initiate the WAP session responsive to the SIA (Section 5.1.2).

18. As to claims 1-3, and 10-19, they are rejected for reasons pointed out with respect to claims 35-37 and 44-54.

19. As to claims 71 and 73, they are rejected for the same reason as claim 35.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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21. Claims 4-9 and 38-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wireless Application Protocol: Wireless Telephony Application Specification dated July 7, 2000 (Part of IDS filed 2/14/2001) in view of U.S. Patent Number 6,792,265 to Chan et al..

22. As to claim 38, the WTA specification teaches the system according to Claim 37, however the WTA specification does not explicitly teach a system wherein the identification code that identifies the destination device comprises a contact number and wherein the request for execution of the WTA protocol based action further comprises: a contact number of the target mobile terminal; and a desired start time of a first call.

Chan teaches a system wherein the identification code that identifies the destination device comprises a contact number and wherein the request for execution of the WTA protocol based action further comprises: a contact number of the target mobile terminal (col. 5, line 35-col. 6, line 18); and a desired start time of a first call (col. 5, line 35-col. 6, line 18).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the applicant's invention to combine the teachings of the WTA spec regarding the implementation of WTA with the teachings of Chan regarding setting up calls because a user may desire to make conference call using the Wireless Access Protocol (Chan, col. 2, lines 11-39).

23. As to claim 39, the WTA specification teaches the system according to Claim 38, wherein the WTA protocol based action comprises successive initiations of calls from the target mobile terminal to the destination device and wherein the push application repeatedly transmits the push command to the target mobile according to an interval specified by the request for execution of the WTA protocol based action (col. 5, line 35-col. 6, line 18).

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24. As to claim 40, the WTA specification teaches the system according to Claim 39, wherein the interval specified by the request for execution of the WTA protocol based action is periodic (col. 5, line 35-col. 6, line 18).

25. As to claim 41, the WTA specification teaches the system according to Claim 40, wherein the request for execution of the WTA protocol based action further comprises an indication of when execution of the calls should terminate (col. 5, line 35-col. 6, line 18).

26. As to claim 42, the WTA specification teaches the system according to Claim 41, wherein the indication of when execution of the calls should terminate comprises a stop time (col. 5, line 35-col. 6, line 18).

27. As to claim 43, the WTA specification teaches the system according to Claim 42, wherein the indication of when the execution of the calls should terminate comprises a number of calls to be made (col. 5, line 35-col. 6, line 18).

28. As to claims 4-9, they are rejected for the same reasons as claims 38-43.

Conclusion

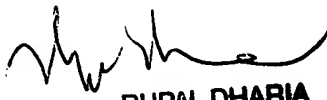
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

Handwritten signature of Douglas Blair, consisting of the letters 'DBB' in a stylized, cursive script.Handwritten signature of Rupal Dharia, a stylized cursive script.

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER